



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.

10/661692

Confirmation No. 7376

**Applicant** 

Jorg Mayer et al.

Filed TC/A.U.

September 12, 2003

Examiner

3732

Title

AN IMPLANT TO BE IMPLANTED IN BONE TISSUE OR

IN BONE TISSUE SUPPLEMENTED WITH BONE

SUBSTITUTE MATERIAL

Docket No.

FRG-14788CIP

Customer No.

040854

## INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with Rule 56, applicant is aware of the publications listed in the enclosed copy of Patent Office Form PTO/SB/08A. A copy of each of the publications is enclosed herewith.

Respectfully submitted,

RANKIN, HILL, PORTER & CLARK LLP

Ву

David E. Spaw, Reg. No. 34732

4080 Erie Street Willoughby, Ohio 44094 (216) 566-9700

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1350, Alexandra, VA 22313-1450, on the date indicated below.

Signature of Rerson Mailing Paper

8/11/04

David E. Spaw

Date

Printed Name of Person Mailing Paper

PTO/SB/08A (08-03) Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

ubstitute for form 1449/PTO

Sheet 1

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

of 3

Complete if Known				
Application Number	10/661692			
Filing Date	9/12/2003			
First Named Inventor	Jorg Mayer et al.			
Art Unit	3732			
Examiner Name				
Attorney Docket Number	FRG-14788CIP			

				DOCUMENTS		
Examiner Initials*	Doddinont Hairiba		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
•		<sup>US-</sup> 2510693	06-06-1950	Green		
		<sup>US-</sup> 3184353	05-18-1965	Balamuth et al.		
		<sup>US-</sup> 3481803	12-02-1969	Hewitt		
		<sup>US-</sup> 3612803	10-12-1971	Klaas		
		<sup>US-</sup> 3723215	03-27-1973	Kessler		
		<sup>US-</sup> 3919775	11-18-1975	Malmin		
	<u></u>	<sup>US-</sup> 4100954	07-18-1978	Muller et al.		
		<sup>US-</sup> 4130751	12-19-1978	Gordon		
	<u> </u>	<sup>US-</sup> 4328108	05-04-1982	Deeken		
	ļ	<sup>US-</sup> 4482795	11-13-1984	Hinden		
		<sup>US-</sup> 4566138	01-28-1986	Lewis et al.		
		<sup>US-</sup> 4675972	06-30-1987	Bappert et al.		
		<sup>US-</sup> 4717302	01-05-1988	Adams et al.		
	<u> </u>	<sup>US-</sup> 4761871	08-09-1988	O'Connor		
		US- 5125442	06-30-1992	Hendrickson		
		<sup>US-</sup> 5271785	12-21-1993	Devine		
		<sup>US-</sup> 5308205	05-03-1994	Lautenschlager		
		<sup>US-</sup> 5393559	02-28-1995	Shoesmith et al.		
	1	<sup>US-</sup> 5447592	09-05-1995	Berce et al.		

FOREIGN PATENT DOCUMENTS						
Examiner Cite	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages		
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	MM-DD-YYYY	7 ppiloant of Oroci Bocament	Or Relevant Figures Appear	ゼ
	-					┡
	<del> </del>					┝
	<del>                                     </del>					┝

Examiner Signature	Date Considered	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at <a href="www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>8</sup> Applicant is to place a check mark here if English language Translation is attached.

Trainstation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.

TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

FRG-14788CIP

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Complete if Known Substitute for form 1449/PTO **Application Number** 10/661692 Filing Date 9/12/2003 INFORMATION DISCLOSURE First Named Inventor Jorg Mayer et al. STATEMENT BY APPLICANT Art Unit 3732 (Use as many sheets as necessary) **Examiner Name** 

Attorney Docket Number

Sheet |2

of 3

			U. S. PATEN	T DOCUMENTS	
Examiner Initials*	Cite No. <sup>1</sup>	Document Number  Number-Kind Code <sup>2 (F known)</sup>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		<sup>US-</sup> 5547325	08-20-1996	Tucker et al.	
		<sup>US-</sup> 5772359	06-30-1998	Marty	
		<sup>US-</sup> 5780536	07-14-1998	Yokoyama et al.	
		<sup>US-</sup> 5785476	07-28-1998	McDonnell	
		<sup>US-</sup> 5840154	11-24-1998	Wittmaier	
		<sup>US-</sup> 772029	10-11-1904	Clark	
		<sup>US-</sup> 2942748	06-28-1960	Anderson	
		<sup>US-</sup> 2458152	01-04-1949	Eakins	
		<sup>US-</sup> 2366274	01-02-1945	Luth et al.	
		<sup>US-</sup> 5589015	12-31-1996	Fusco et al.	
		<sup>US-</sup> 4525147	06-25-1985	Pitz et al.	
		<sup>US-</sup> 5244933	09-14-1993	Eidenenz et al.	
		<sup>US-</sup> 5803736	09-08-1998	Merritt, Jr.	
		US-			<b>—————————————————————————————————————</b>
		US-		<del> </del>	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	MM-DD-YYYY		Or Relevant Figures Appear	T⁵
						L
						L
				!		

Examiner		Date	
Signature		Considered	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

PTO/SB/08B (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PT	ro			Complete if Known	
7 - 000001010 707 101111 7 7 7 07 7	. •		Application Number	10/661692	
INFORMATIC	ON DIS	CLOSURE	Filing Date	9/12/2003	
STATEMENT	STATEMENT BY APPLICANT			Jorg Mayer et al.	
(Use as many	shoots on m		Art Unit	3732	
(OSO as many	sneets as n	(ecessary)	Examiner Name		
Sheet 3	of	3	Attorney Docket Number	FRG-14788CIP	

		NON PATENT LITERATURE DOCUMENTS	_
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		Reader's Digest Complete Do-it-Yourself Manual (page 69)	
		The Simon and Schuster Complete Guide to Home Repair and Maintenance (page 45)	

Examiner	Date	
Signature	Considered	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:

Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.